

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION


JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE

IN RE: C. R. BARD, INC., PELVIC REPAIR
SYSTEM PRODUCTS LIABILITY LITIGATION

MDL No. 2187
Honorable Joseph R. Goodwin

Jamie Spada

Plaintiff(s),

v.

CASE NO. 2:12-cv-05258

C.R. Bard, Inc., et al.

Defendant(s).

MOTION TO TRANSFER MDL

COME NOW the plaintiff(s), by and through the undersigned counsel, and move the court to transfer this member case from MDL 2187, In re: C. R. Bard, Inc., Pelvic Repair System Products Liability Litigation, to:

MDL 2327 Ethicon, Inc., Pelvic Repair System Products Liability Litigation.

Plaintiff(s) herein filed a Complaint or Short Form Complaint in MDL 2187 against C. R. Bard, Inc., and others. Plaintiff(s) later filed an Amended Short Form Complaint that no longer included C. R. Bard, Inc. or another named defendant in that litigation; included instead, among others, were the following parties from MDL 2327 :

Ethicon, Inc.
Ethicon, LLC
Johnson & Johnson

Because C. R. Bard, Inc. or another defendant named in the Master Complaint, is no longer a named defendant in this member case, Plaintiff(s) respectfully request that the Court: 1) **GRANT** the Plaintiff(s) motion to transfer this civil action from MDL 2187 to 2327; and 2) direct the Clerk to disassociate this civil action as a member case in MDL 2187 and re-associate it with MDL 2327 .

s/ David Kuttles

W. Mark Lanier
New York Bar No. 4327384
David Kuttles
New York Bar No. 4034393
Kelly Fitzpatrick
New York Bar No. 4789319

CERTIFICATE OF SERVICE

I hereby certify that on March 4, 2013, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive service in this member case.

s/ David Kuttles

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